Jihad

The Holy War of Islam & Its Legitimacy in the Quran



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بسم الله الرحمن الرحیم

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Jihad The Holy War of Islam and Its Legitimacy in the Quran

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Includes verses in the Qur'an that address Jihad (struggle in the way of God), .legitimacy of Jihad, Islam and Peace, Defense vs. aggression, and human rights

Publisher's Note

In the Name of Allah, the Compassionate, the Merciful

The Islamic Revolution of Iran continues its triumphant march, despite the enemies' plots, and this year (۱۹۸۵) the Islamic Republic of Iran celebrates the sixth anniversary of the victory of the Revolution on Feb. ۱۰, ۱۹۷۹. On this day, after a centuries-long night, the sun of Islam rose again in all its resplendent glory, and this historic event is celebrated in the Islamic Republic during the course of the "Ten-Day Dawn .(Celebrations" (Daheh-ye Fajr

On this auspicious occasion, we thank God, the Almighty, for strengthening the Revolution and for assisting us in our efforts to bring its message of salvation to the Muslims and the rest of the world's oppressed people. Indeed the secret behind its victory was trust in God, obedience to the laws of Islam, and the leadership of Imam .Khomeini - may God continue to light our path by the light of his guidance

The present book is one of a series of publications brought forth on the occasion of

the sixth anniversary of the victory of the Islamic Revolution. We pray to God to keep us steadfast on the straight path of Islam, to confer upon us more

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sincerity and strength in our efforts to implement the laws of God. In Him do we trust .and it is He who grants success

The Council for Ten-Day Dawn Celebrations

Lecture one: Questions about Jihad

point

In the Name of God, the Merciful, the Compassionate

Fight those who believe not in Allah nor the Last Day, nor hold that forbidden which hath been forbidden by Allah and His Messenger, nor acknowledge the religion of Truth, (even if they are) of the People of the Book, until they pay the Jiziyah with (willing submission, and feel themselves subdued. (۹:۲۹

This Qur'anic verse concerns the People of the Book, meaning those non-Muslims followers of one of the Holy Books: namely, the Jews, Christians and perhaps, the .Zoroastrians

Although the verse is one of war with the People of the Book, it does not tell us to fight them. It tells us to fight only those of them who have no faith in God, in the Hereafter, and who do not abide by the rule of God. They are those who allow what He has forbidden and who are not religious according to the religion of truth. It is these People of the Book whom we are to fight until they pay the Jiziyah (tribute). When they have humbled themselves before us and submit to paying the Jiziyah, we are to .fight no more

This verse gives rise to many questions which remain to be answered through a study of those Qur'anic verses pertaining to jihad, which we will set apart and

.review

:The first question that arises is what exactly is meant by the words

«Fight those who believe not in Allah »

Does the verse mean that we are to abandon our lives and begin fighting them immediately, or does it mean that we must fight them once they have gone beyond their territory, encroaching upon ours? In the terms of the learned of Islam, the ulama', this is an unconditional verse such that, if there are similar verses that are conditional, this verse too must be interpreted as being conditional.

A– Conditional Verses and Unconditional Verses

This term is a very important one, and I wish to explain it to you, for otherwise it will be difficult for you to grasp the full meaning of the verse under discussion. Any command, even a human command, can be given in one of two ways. In one instance, it can be given with no conditions, and in another, may have a condition attached to it. We immediately realize that whoever issues that command and introduced that law, intended the same meaning in both instances. Now, having realized this, what are we to do?

Are we to adhere to the unconditional command, and assume any conditional command was limited to that special instance it was provided for? Or should we interpret the unconditional as the conditional, which means adhering to what is conditional?

Let me cite a simple example. On two separate occasions we are given a command by someone who has the authority to command us, and whose authority we respect. On one

occasion, he tells us to respect such and such a person, and we understand this as an unconditional command. On another occasion, he commands us to respect that person if he does some particular task, such as taking part in a meeting. The second time the command contains an "if." The command is now conditional. We are not asked to unconditionally respect someone, in all situations and all states. Rather, the "if" signifies a prerequisite attached to our respect of such an individual.

The first command had no condition; we were simply told to respect him. Assuming we had ears and heard this command, we would obey it and comply, regardless of whether the person attended meetings or was too lazy to bother. But when we hear the other command, we understand that we are to respect the person provided he comes to the meeting, and, if he refrains from doing so, we are not to respect him.

The ulama' say that the rule requires us to interpret the unconditional as the conditional, meaning that we must assume the aim of the unconditional to be exactly that of the conditional.

Now, among the unconditional and conditional verses of the Qur'an pertaining to jihad, is one that we have seen:

« Fight those who believe not in Allah nor the Last Day, nor hold that forbidden which hath been forbidden by Allah and His Messenger »(۹:۲۹)

In another verse, we are told:

« Fight in the cause of Allah those who fight you » (۲:۱۹۰)

What are

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the meanings of these verses? Do they mean that we must fight these people regardless of whether they are about to attack us? Is the command unconditional so that we must fight them whether they intend to attack us or not, or whether they are ?guilty of aggression or not

There are two possible views. One is that the command remains unconditional. Under this view, the People of the Book are not Muslims, so we are allowed to fight them, but only until we subdue them. If they are neither Muslims nor People of the Book, we should fight them until either they become Muslims or we kill them. If they are People of the Book, we should fight them until they become Muslims or, if they do not become Muslims, until they pay us tribute. Such is the opinion of those who say that the verse .remains unconditional

The other view, however; holds that the unconditional must be interpreted as the conditional. Someone with this view would say that the other Qur'anic verses bring us the conditions for the legitimacy of jihad. The other Qur'anic verses reveal that the .true meaning of the verse is not unconditional at all

What, then, are the conditions for the legality of jihad? Amongst them, for example, :are the following

That the other side intends to attack us; or that it creates a barrier against the call of Islam, meaning that it negates the freedom of that call and becomes an obstacle to its ,diffusion

.while Islam says that those barriers are to be removed

Or, likewise, in the case of a people subject to the oppression and tyranny of a group from amongst themselves, Islam says that we must fight those tyrants so as to deliver the oppressed from the claws of tyranny. This has been expressed in the :Qur’an thus

And why should ye not fight in the cause of Allah and of those who, being weak, are » (ill-treated (and oppressed) (mustazafin)?» (۴:۷۵

Why is it that we do not fight for God and for the men, women and children who are ?subject to torture and tyranny

?B– Can We Fight All the People of the Book

The second question relates to the fact that the verse does not explicitly state that we are to fight all the People of the Book. Rather, the verse says fight against those who believe neither in God nor in the Hereafter, who permit what God has forbidden, and ?who are not at all religious in line with any religion of truth. Now what does this mean

Does it mean that the People of the Book en masse - i.e. all the Jews, the Christians and the followers of the different sects - have no faith in God, no faith in the Hereafter, no faith in God's ordinances and no faith in any religion based on truth, so that if one of them claims that he believes in God, he is a liar and does not actually ?believe in God

Is the Qur’an actually saying that all the People of

the Book, however much they claim to believe in God, in reality have no such belief? Is it possible for us to argue that because the Christians claim Jesus is God or the 'son of God," they really have no belief in God? Or that, because the Jews say things about Jacob, the Jews have no more faith than the Christians? Or that those who say:

«Allah's hand is tied up» (۵:۶۴)

cannot be believers in the true God and the same applies to the rest of the People of the Book?

Thinking in these terms would mean we would believe that the Qur'an does not recognize other means of faith in God or in the Resurrection except through Islam. We can justify this by showing that the Qur'an states that the beliefs of the People of the Book are confused and misconceived. A Christian, even a learned Christian scholar, may recognize God and the Oneness of God (Tawhid), but his concurrent beliefs about Jesus or the angel Gabriel may pollute his conception of Tawhid.

This is the view held by some of the Qur'anic commentators. Under this view, the Qur'an's command that we are to fight against the People of the Book means that their faith in God is not valid, that their faith in the Resurrection is not valid, and that their knowledge of what God has forbidden and permitted is flawed.

These commentators believe that the word "Prophet" in this verse means the Seal of the

Prophets, Muhammad, peace and blessings upon him and his holy household, and that "religion of truth" means a singular religion that mankind has the duty to accept, rather than a religion that belonged to a particular period in the past and whose duty .to accept has faded with time

A different group of commentators, however, consider that with this statement, the Qur'an intends to show that the People of the Book fall into two categories. Not all the People of the Book are the same; some believe in God, Resurrection, and the laws of God. These are the People of the Book whom we are to leave alone. The second .category, those of whom we are to fight, is the People of the Book in name only

In reality, they have no valid beliefs, do not consider forbidden what God has forbidden, even what He has forbidden within their own religion. Thus, we are not to fight with all the People of the Book, but a group from among them. This is another (issue in itself .(١

?C– Jiziyah

The third question relates to the word jiziyah or tribute. We are told to fight them until they pay the jiziyah, which means until they either accept Islam or pay the jiziyah. In the Qur'an there is no doubt that a difference has been maintained between the People of the Book and the polytheists, or mushrikin, those who formally worship idols .and do not follow any holy book

Nowhere in the Qur'an

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This present book answers this question only indirectly. When we take into account –١ the conditional verses about the legitimacy of jihad, which are dealt with in this book, we realize that there are no conditions relating to the depth of the enemy's faith in religion and its principles. The word "of" (Arabic min) when God says "of the People of the Book" is considered by the great Allamah Tabatabai, for example, in his "Mizan," as an "explanatory of" (Min bayaniyah), meaning that it could have been more

accurately translated by the word “e.g.” In which case, this unconditional verse reads as follows: «And fight those who have not faith in God nor in the Hereafter, and (who) forbid not what God and His Prophet have forbidden, who do not observe the religion of truth, e.g. the People of the Book, until they pay tribute by hand, and they are the low».(٩:٢٩) All the conditions contained in the conditional verses then apply. When the People of the Book live in an Islamic state, there is no question of those with more commitment to their religion paying less taxes, or tribute on this account than those .with less commitment

are we told to fight the mushrikin until they pay the jiziyah, and to fight them no more once they have paid it. Concerning the People of the Book, however, we are told that once they are willing to pay the jiziyah, we are to fight them no longer. This is a clearly .marked difference

This brings us to this question: what is jiziyah? There is debate about the word itself. Some say it is not an Arabic word by origin; it has no Arabic root, but is a derivative of the Persian word gaziyet, the name of a tax introduced by Anoushiravan, the Sassanian King of Persia. This tax, however, was a poll tax on the people of Persia themselves and not on anyone else and was collected to fund war. They say that the use of the word then spread from Iran to Hira, a town situated roughly on the site of present-day Najaf (in Iraq) and from there it was adopted by the rest of the Arabian .peninsula where it became widely used

Others reject this. Though it is true that jiziyah and gaziyeh are very close, jiziyah is an Arabic word from the root "jaza" - this is the view of most etymologists. The real interest is not in the nature of the word, however, for what we are looking for is the nature of the essence which the word denotes. Is jiziyah the extortion of "protection money" or "dangled," a kind of blackmail? Does Islam tell us

to fight so as to obtain blackmail and, when it has been paid, to fight no longer? A poet has even said: “We are such that from emperors we have taken taxes, then we even ”.took their crowns and maces

If the meaning of jiziyah implies a kind of blackmail, the question arises as to what is the meaning of it all. What kind of instruction is it? Is it not a law of violence and brute force? What kind of basis in human rights and justice can it have, for Islam to give Muslims permission, even make it obligatory for them, to fight the people of other ?religions until they either accept Islam or buy the Muslims off

Both these alternatives present a problem, for fighting them until they become Muslims will mean imposing Islam on them, and fighting them until they buy the Muslims off will mean exacting wealth from them. Both alternatives are the use of violence and force, for either it means imposing beliefs upon them or forcefully extracting money from them. So here too we must enter into details to find out just what jiziyah is. Is it really “blackmail,” “protection money,” “danegeld?” Or is it ?something else

Here, the Qur’an says “vahom sagheroon” meaning, “and they are the low,” “while they are the low.” Sagheroon comes from the word 'seghar” and 'seghar” means “low (small).” While they are the low. What is the meaning of “they are the low?” This is the fourth question: what is

the meaning of they are the low? Does it mean that they must only humble themselves before your power or does Islam mean other matters besides humility ?((being humble

Here we must set aside the meaning of this verse and the questions that arise from it, and look at other issues that must be separately analyzed and discussed in .preparation

D– Philosophy and Goals of Jihad

The fifth issue concerns the reason for the law of jihad in Islam. Some believe that there should be no jihad in religion at all; that religion should contain no law of war: that since war is bad in itself, religion must oppose it and not itself establish war as a .law

On the other hand, we know that jihad is a basic principle in Islam. When we are asked how many are the subsidiary beliefs of Islam (furu' ad-Din) we say, "Ten – (prayer, fasting, khums, zakat, hajj, jihad, etc."(١)

Of the arguments that Christians propagate in an extraordinary fashion against Islam is this one. First, they ask why such a law exists in Islam and then they state that due to this legal permission, Muslims started wars with various peoples, forcibly imposing Islam on them. They claim that the Islamic jihads were all fought for the imposition of Islamic beliefs. It is due to this permission that Muslims imposed Islam by force, which is how, they say, up to now, Islam has always spread ("by the sword"). They say that the principle of jihad in Islam and one of the basic

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Khums" and "zakat" are the two famous tax – like charities of Islam, and "Hajj" is" –١ the famous act of worship performed each year in Mecca, which the Muslims who are .able to do so must perform once in a lifetime

rights of man, viz. freedom of belief, are in eternal conflict. This is one of the issues to .be discussed

A second issue is the difference that Islam has maintained in the laws of jihad between the mushrikin – the polytheists – and the non-polytheists. There is a provision for living in harmony with the People of the Book that is not applicable to the .polytheists

Another issue is the question of whether Islam differentiates between the Arabian peninsula and the rest of the world. Has Islam appointed for itself a place as its headquarters, its center, wherein no one from amongst the mushrikin or the People of the Book is admitted? And is that place the Arabian peninsula, while in other places Islam is not so severe, and, for example, lives in harmony with the mushrikin or the People of the Book? In short, is the Arabian peninsula any different in these terms or ?not

The answer is that between Mecca and other places, there is undoubtedly a :difference. In the verse preceding the one under discussion we are told

« O ye who believe! Truly the Pagans are unclean; so let them not, after this year of theirs, approach the Sacred Mosque. (۹:۲۸)

The fourth issue concerns agreements with mushrikin. Is a Muslim allowed to make agreements with such people? Can he make promises to them? And if he does, is the ?promise or agreement to be honored or not

The last issue concerns the conditions of war. When Islam has legalized warfare, what

kind of warfare, in terms of the particular conditions of war, does Islam see as legal, and what kind of war does it see as forbidden? For example, does Islam consider the killing of a whole people to be lawful or forbidden? Does Islam view as permissible the killing of those who have not lifted the sword: old women, children, men who are peacefully engaged in their jobs and trades? Is the killing of all these in the view of Islam permissible or forbidden? These are all issues that have to be discussed. The verses pertaining to jihad occur in many places in the Qur'an. We shall try to compile .all of them with the help of God so as to obtain the view of Islam on this matter

E– The Legitimacy of Jihad

The first issue that we shall consider will relate to the legitimacy of jihad, whether or not it is correct for a law of war to exist within the context of religion and the text of its commands. Protesters say, "No, war is evil, and religion must always be opposed to evil, so religion must always be opposed to war. It must always support peace. And, since it intends to support peace, it must not have any laws about war, and it must never itself go to war." This is the kind of propaganda that Christians carry on. It is .weak and limpid, with no ground to stand on

War – is it always bad? If it is waged in defense of a

right, or against oppression, is it still bad? Obviously not. We must regard the conditions and motives of war and consider for what motive and aim war is fought. There are times when war is aggression. When, for example, a group of people or a nation sets its greedy eyes on the rights of others, on the lands of others, or when it sets its sights on the common wealth of a people, or falls prey to over-ambition, to lust for pre-eminence or superiority, claiming that "of all races our race is the most ".outstanding, superior to other races, and thus we must rule over those races

War for these reasons is not correct. Whether a war is launched to take possession of land, to seize ownership of national wealth, or due to contempt of others and out of sentiment of racial superiority, i.e. "those people are inferior to us who are superior, and the superior must govern over the inferior," it is a war of aggression. These types of war are certainly evil, and there can be no doubt about it. We will later talk about .another type of war, war for the imposition of belief

But if a war of defense is undertaken in the face of aggression - others have occupied our land, or have cast their eyes on our wealth and property, or on our freedom and self-esteem, which they want to deprive us of, and intend to impose their rule over us ,- in these cases

?what is religion to say

Is it to say, "War is absolutely evil, laying hands on a weapon is evil, picking up a sword is evil," and that it advocates peace? And we, when facing imminent attack and the risk of being destroyed, must we not go to war – If we do not, would it not mean failing to defend ourselves – on the pretext of peace? This would not be peace: this would be .surrender

F– Peace is not Submission

In such an event, we cannot say that because we are the advocates of peace, we are opposed to war. Such a thing would mean that we are advocates of misery, advocates of surrender. Make no mistake; peace and surrender are as different from each other as chalk and cheese. The meaning of peace is honorable coexistence with others, but surrender is not honorable coexistence; it is coexistence that on one side. This is absolutely dishonorable. In fact, it is a coexistence that is absolutely dishonorable on both sides. On one side, the dishonor is aggression, and on the other side, it is the .dishonor of surrender in the face of zulm, in the face of injustice and oppression

So this fallacy must be eradicated, and a person who declares himself opposed to war, saying that war is inherently bad – be it war against injustice or be it defense and resistance in the face of injustice – has made a great mistake. Wars of aggression must be fully condemned while wars that mean standing

up (qiyam) in the face of transgression are to be commended, and are necessary for .human existence

:The Qur’an illuminates this matter. It says

And did not Allah Check one set of people by means of another, the earth would » (indeed be full of mischief » (۲:۲۵۱

:and elsewhere it tells us

Did not Allah check one set of people by means of another, there would surely have » been pulled down monasteries, churches, synagogues, and mosques, in which the (name of Allah is commemorated in abundant measure. » (۲۲ :۴۰

Thus, if God did not prevent some people by means of other people, ruin and .corruption would become the rule everywhere

Furthermore, it is for this very reason that all the countries of the world deem it necessary and essential for themselves to maintain armed forces for their defense. The existence of armed forces, the duty of which is to prevent aggression, is an absolute necessity. Now, if there are two countries that both have armed forces – one for aggression and the other for defense – do not say that the one which has an army without the intention of aggression is weaker than the other and if it were stronger it would also intend to aggress. We are not concerned with this matter. The fact is that the existence of an army for defense is essential for every nation in order for that .nation to be strong enough to check any aggression against itself

:Thus, the Qur’an tells us

Against them make ready »

your strength to the utmost of your power, including steeds of war, to strike terror (into (the hearts of) the enemies, of Allah and your enemies.» (۸:۶۰

The statement means, "prepare forces as much as you can and centralize your forces in your frontiers." Rebat comes from the word Rabt. Rabt means to tie. Rebat-ol-Kheyl means tied horses (horses tethered). The statement about horses in readiness is made because in the past, the strength of armies consisted mostly in horses, but .naturally each age has its own characteristics

These verses mean that for the fear of our strength to enter the hearts of our enemies and eliminate the notion of aggression from their minds, we are to build .ourselves an army and make ourselves stronger

G- Difference between Islam and Christianity

It is said about Christianity that it has the distinction of not having any rule governing war. We, on the other hand, say that Islam has the distinction of having the law of jihad. If we look closely, we see that in Christianity there is no jihad because Christianity lacks the underlying support system for this law. By which I mean Christianity does not provide for a social structure, legal system, or any rules regarding how society is to be formed, under which umbrella the law of jihad would be .found

There is no substance in Christianity; it contains no more than a few moral teachings that form a set of advice such as "tell the truth", "do not tell lies", "do not gobble up the wealth

of others", and so on. Such things do not provide a code or law of Jihad. Islam, however, is a religion that sees as its duty a commitment to form an Islamic state. Islam came to reform society and to form a nation and government. Its mandate is .the reform of the whole world

Such a religion cannot be indifferent. It cannot be without a law of jihad. In the same way, its government cannot be without an army. While the scope of Christianity is extremely limited, Islam's scope is extremely wide. While Christianity does not cross the frontiers of advice, Islam is a religion which covers all the activities of human life. It has laws which govern the society, economic laws, and political laws. It came to organize a state, to organize a government. Once it accomplishes this task, how can it ?remain without an army? How can it be without a law of jihad

H– Islam and Peace

Thus, groups which claim that religion must always oppose war and advocate peace, because peace is inherently good and war is totally bad, are mistaken. Religion must of course advocate peace, and the Qur'an says: «Was-Solho khayron», «Peace is better», but it must also advocate war. If the opposing side is not ready to coexist honorably, for example, and through oppression tramples upon human dignity and honor, and we submit to oppression, then we have welcomed misery: we have :accepted dishonor. Islam says

,Peace if the other side is ready and willing to accept it. If not"

".and it turns to war: then war

I– Conditions for warfare

The second issue concerns the circumstances in which Islam says we must fight. The first verses of the Qur’an that come to us about jihad, in the accepted view of all the :commentators, are those from Suratul-Hajj

Verily Allah will defend (from ill) those who believe: verily, Allah loveth not any that is » a traitor to faith, or show ingratitude. To those against whom war is made, permission is given (to fight), because they are wronged;- and verily, Allah is most powerful for their aid;- (They are) those who have been expelled from their homes in defiance of ."right,- (for no cause) except that they say, "our Lord is Allah

Did not Allah check one set of people by means of another, there would surely have been pulled down monasteries, churches, synagogues, and mosques, in which the name of Allah is commemorated in abundant measure. Allah will certainly aid those who aid his (cause);- for verily Allah is full of Strength, Exalted in Might, (able to enforce His Will). (They are) those who, if We establish them in the land, establish regular prayer and give regular charity, enjoin the right and forbid wrong: with Allah (rests the end (and decision) of (all) affairs.» (۲۲:۳۸-۴۱

These are amazing verses; they are the very first revealed Qur’anic verses .concerning the legislation of jihad

J– The Muslims in Mecca

Before we examine these verses, we must first turn our attention to another issue. As we know, the first revelation was brought down to the

Prophet in Mecca, when he was forty years old. After that, the Prophet lived in Mecca for thirteen years. During this time, either he himself or his companions were terribly tortured by the pagans of the Quraysh, the ruling houses of Mecca; so much so that a .group of them were forced to seek permission from the Holy Prophet to migrate

They left Mecca and went to Ethiopia. Repeatedly the Muslims asked the Holy Prophet for permission of self-defense, but during the whole of the thirteen years that he was in Mecca, the Prophet did not grant it. There was a good reason for this refusal, which lasted until his holy mission took solid shape and Islam spread at last to Medina, .amongst other places

There, a small group of Medinans had become Muslims, had gone to Mecca, had paid their allegiance to the Prophet, and had made a covenant that if he were to go to Medina they would support him. Thus, the Holy Prophet migrated to Medina and the Muslims also migrated and, in Medina for the first time, an independent Muslim base was brought into existence. During the first year, permission for defense was still not given. It was during the second year of the hijrah that the first verses on jihad, these :same verses I have just recited, were revealed. The tone of the verse goes thus

» Verily Allah will defend (from ill) those who believe; verily, Allah loveth not any that is a traitor to

(faith.»(۲۲:۳۸

This indicates that the polytheists had been treacherous to the Muslims, had betrayed them, had transgressed against them, and had rejected God's blessings. Then it :declares

To those against whom war is made, permission is given (to fight), because they are » (wronged.»(۲۲:۳۹

Permission to fight has been given to those whom others have come to fight. Which means: "O Muslims, now that the polytheist rejecters have come to fight against you, ?fight them." In reality this is a state of defense. Why has this permission been given

:Because: the oppressed must defend themselves. Then comes a promise of help

Verily, Allah is most powerful for their aid;- (They are) those who have been expelled » from their homes in defiance of right,- (for no cause) except that they say, "our Lord is (Allah".»(۲۲:۳۹-۴۰

To those people who have been unjustly turned out of their homes and lands for no offense except that they said, "Our Rabb, our Lord, Master, Cherisher and Nourisher, :is God," God gives permission for jihad. Their offense was that they said

.Rabbonallah", "God is our Rabb." To such people does God give permission to fight"

Notice to what extent the verse adopts a tone of defense. Then, it states the reasoning behind jihad. The Qur'an is amazing in the way it discloses realities and brings to mind all their details. For here comes a particular verse just as if the Qur'an had been confronted with all the questions and problems raised by the Christians of today, who say: "O Qur'an. You are

supposed to be a divine book, you are supposed to be a religious book, how can you give permission to fight? War is a bad thing, always say “Peace!” Say “Purity!” Say ”!“Worship

But the Qur’an tells us: No. If the other side becomes aggressive towards us and we do not defend ourselves, not a stone will be left upon a stone. All the houses of :worship will be destroyed

Did not Allah check one set of people by means of another, there would surely have » been pulled down monasteries, churches, synagogues, and mosques, in which the (name of Allah is commemorated in abundant measure.»(۲۲:۴۰

If God did not check the aggression of some people by means of others, all the houses of worship of all the different sects and religions would be destroyed. The churches of Christians, the synagogues of Jews, the monasteries, the masjids, places of prostration of Muslims: none would exist. Some people would commit such aggression .that no one would have the freedom to worship God

:The Qur’an then makes a promise of help

Allah will certainly aid those who aid his (cause);- for verily Allah is full of Strength, » (Exalted in Might, (able to enforce His Will).»(۲۲:۴۰

Whoever helps God, meaning whoever helps the truth and justice of reality, will be .helped by God, and God is Powerful and ever the Victor

Now notice how God describes those He helps. God helps the people who defend themselves, the people who, when they establish a government, form one on these :lines

They)»

(are) those who, if We establish them in the land »(۲۲:۴۱

They are the people who, when given a place to inhabit by God, set up a government for God. They are the people who, when given power and authority by God, form a ?state based on these lines. What lines

(establish regular prayer,... »(۲۲:۴۱ ...»

.They institute worship of God

(give regular charity... »(۲۲:۴۱»

They pay the purification tax. Prayer is the correct spiritual bond between man and God, and zakat is the correct spiritual bond of cooperation between individuals. The ,people who worship God in sincerity and help one another

(enjoin the right and forbid wrong »(۲۲:۴۱ ...»

Who consider themselves as being under an obligation to promote what is good and .to combat what is evil

(with Allah rests the end (and decision) of (all) affairs.» (۲۲:۴۱ »

.The result of all matters, all subjects, are in the "hands" of God

What we have learnt so far is that the Qur'an has fundamentally defined jihad not as a war of aggression or of superiority or of authority, but of resistance against .aggression

Of course, the forms of aggression to be resisted are not always on the lines of one .party invading the territory of another

Perhaps the oppression can take on another form. For instance, a state could torture and tyrannize a group of their own citizens, who are weak and powerless; who, in the terms of the Qur'an, are called mustazafin. In such conditions Muslims cannot remain .indifferently aloof. Muslims have a mandate to free such afflicted people

Or perhaps the other side has created such a terrible state of repression that the call of haqq, the call of truth, love and justice is not allowed to flourish; the state has created a dam, an obstacle, which must be destroyed. All these are types of transgressions. Muslims must free mankind from the chains of bondage of thought .and the bondage of other than thought

In all these conditions jihad is an urgent necessity; and such a jihad is in defense, in resistance against zulm, against injustice and oppression, against transgression. The word “defense” in its general meaning means resistance against an existing zulm or injustice and oppression. In the view of Islam, jihad against other types of zulm and .types of transgression is a necessity. This is a matter still to be discussed

Lecture Two: Defence or Aggression

A- Christianity's Protest against Islam

Previously we stated that Christianity has determined that the concept of jihad is a weakness within Islam. This is so because they believe the law of jihad means that Islam is a religion of war, and not peace, while Christianity is a religion of peace. In their view, war is inherently bad and peace is good, and any religion that is divinely .founded must advocate only peace, a good thing, and not war, a bad thing

Until yesterday in historical time, Christianity had analyzed things within the context of morals exclusive to the Christian context; namely, morals that call for one to “turn the other cheek” and foster limpidity. But today

Christianity has switched positions and changed its face. It now carries its propaganda through an alternative channel; namely, the channel of calling for .essential human rights, including the essential human right to freedom

From the channel of war as a total opposition to the right of freedom it has moved to freedom of belief, to freedom of will, to freedom of choice of religion, nationality and other things. But we Muslims look at the issue from both angles, both from an angle of morality and moral standards, and the angle of human rights and "new" human standards. I stated the answer to this matter in the previous sitting. It is self-evident .and clear that what the Christians are saying is not at all valid

Of course, peace is good. There is no doubt about it. And war, for the sake of aggression against other people - people who have no intentions against the aggressor, no intentions against that aggressive society - war for the sake of occupying that unsuspecting nation's lands and of grabbing their property, for the sake of enslaving its people, for the sake of subjecting them to the influence and laws of the aggressors, is undoubtedly bad. That which is bad is transgression and .aggression. Aggression is bad

But all war, on all sides, is not always aggression. War can be aggressive and it can also be a reply to aggression, for sometimes the reply to aggression must be given by force. There are times that force is the

.only reply that can be given

Any religion, if it is a complete religion, must have thought about what it will do on that day when it is faced with aggression, or, let us suppose, it is not itself faced with aggression but another people are. It is for such a day that religion must have a law of war, a law of jihad. The Christians say that peace is good, and we agree; peace is good. But what about submission, humiliation and misery? Are submission, humiliation ?and misery also good

If one power is faced with another power and both advocate peace, both of them desire, in today's terms, to live in peaceful coexistence -- this is peace. When both powers can live together without one power wishing to oppress the other, both of them willing to live in peace with reciprocal rights and mutual respect, then this is peace. This peace is good and essential. There is a time, however, when one group is the aggressor and, on the pretext of war being bad, the other group accepts surrender, and the humiliation of tolerating the other's aggression becomes imposed .on it

.This cannot be called peace

Rather, this is the willing acceptance of humiliation and misery. Such a submission in the face of force can never be called peace. For example, while you are passing a desert, an armed bandit attacks you suddenly and orders you to "get off your car quickly, raise your hand and give me anything

".you have

Here you submit yourself and say to him: "I am an advocate of peace and opposed to war completely. I'll accept anything you order. I give you my money, my luggage and baggage, my car and I'll obey anything you say. Say anything you want and I will give ".it to you, because I advocate peace

This is not advocating peace; this is accepting humiliation. In this case a man must defend his property and his prestige unless he knows for certain that in this defense his property will be abolished, his blood will be shed, and in short, there is no purpose .in defense whatsoever

Of course, it must be also known that often blood is very effective, and fighting is very worthwhile. But sometimes resistance here is not wise and one must sacrifice one's .money and wealth in order to save one's life

There is a difference between advocating peace and accepting humiliation. Islam .never permits humiliation; at the same time, it strongly advocates peace

I wish to stress the importance of this issue, which Christians and others have used as a pretext to protest Islam, claiming it to be Islam's weak point. They claim the life of the Holy Prophet was one where he advocated Islam as a religion of the sword; that Muslims raised the sword over the heads of people and forced them to choose .between Islam and death; and that people accepted Islam only in order to stay alive

Therefore, I think it is

necessary for us to discuss this issue thoroughly and minutely, and we will use not only verses from the Qur'an, but also confirmed traditions of the Prophet and :glimpses from his life. We shall start with the Qur'anic verses

B– Unconditional verses about Jihad

I said that some of the Qur'anic instructions about jihad against kuffar (disbelievers) are unconditional, which means they state only this: "O Prophet Fight with the Kuffar and the hypocrites." Or, in the case the verse pertaining to which we recited, after a period which is given to the polytheists (four months), if they have not adopted Islam or haven't migrated, then they are to be killed. (Note: Whether this migration means to the surroundings of Mecca and around, or elsewhere, is a question to be discussed late.) Or that verse with which we began our discussion and which is about the People .of the Book

Fight those who believe not in Allah nor the Last Day, nor hold that forbidden which « hath been forbidden by Allah and His Messenger, nor acknowledge the religion of .(Truth» (۹:۲۹

:or another verse

O Prophet! strive hard against the unbelievers and the Hypocrites, and be firm « .(against them. » (۹:۷۳

If we were to pay attention only to this verse, we would say that Islam fully instructs the Muslims to fight against kuffar and hypocrites and they (Muslims) must never be in a state of peace with them, that Muslims must fight them, as vehemently as they can. They must fight them. If we maintain this rhetoric, we

.will come to believe that the Qur'an unconditionally tells us to fight the non-Muslims

I stated, however, that there is a scholastic rule that when both an unconditional and a conditional command exist, i.e. when there is an instruction that in one place is unconditional but in another place has a condition attached, then, according to the ulama', the unconditional must be interpreted as the conditional. The verses I have .just recited are unconditional

Other verses exist that are conditional, meaning that they read like this: "O Muslims. Fight against those polytheists for the reason that they are in aggression against you, because they are in a state of war with you, and therefore you definitely have to fight ".against them

Thus it becomes clear that where the Qur'an says: "O Prophet Fight against the kuffar and hypocrites," it means that we must fight those kuffar and hypocrites who are .fighting us and who will continue fighting if we fight them

C– Conditional Verses

:In Suratul-Baqarah, the Qur'an tells us

Fight in the cause of Allah those who fight you, but do not transgress limits; for Allah » (loveth not transgressors.» (۲:۱۹۰

The Qur'an calls to those of faith, to fight those who will fight them - i.e. fight them because they are fighting - but do not violate the limit. What does this mean, not to ?violate the limit? Does it mean to not be the transgressor

The obvious meaning of this verse is that we are to fight only those who are fighting us, not anyone

else. Moreover, we are to fight only on the battleground, against a certain group of people (soldiers employed by the other side), the men of war whom they prepared for war against us. It is these who we are to fight, and we cannot turn away in cowardice. .We must cross swords, exchange bullets, and fight

But with everyone else – those who are not men of war, soldiers, not in a state of combat, including old men, women of all ages, and children – we cannot interfere, and we cannot transgress their rights. Acts of transgressions we are forbidden from doing include, among other things, ruining their economic resources (cutting down their .(trees, filling their canals

Do not be misled to believe that the destruction of homes and property is inevitable if we are to engage in war with enemy soldiers. The question of avoiding these occasions is a separate issue. In Islam, military operations directed at damaging .houses and other personal property are forbidden unless there is no other option

Another conditional verse is the one we discussed from Suratul-Hajj. In fact these are five to six consecutive verses, and the first revealed verses on jihad. These verses say that because the other side has lifted its sword in opposition to us, we can do the .same

:In another verse of Surah at-Tawba, we are told

(fight the Pagans all together as they fight you all together...» (۹:۳۶ ...»

D– Rushing to the Defense of the Oppressed

Before touching this subject and the verses relating to it, a

point must be mentioned. I stated that the permission for jihad is subject to some conditions. What are these conditions? One is that the opposing side must be in a state of aggression. Those comprising this side are attacking us, and because they are fighting against us, we must fight them. Are the conditions for jihad in fact limited ?to only this scenario that the other side wishes to fight against us

Or are there other factors? Perhaps the other side does not propose to fight us, but is guilty of a gross injustice towards another group of human beings. We have it in our power to save those human beings from the clutches of that aggressor. If we do nothing, the effect is that we have helped the oppressor's oppression against the .oppressed

We may be in a situation whereby a party has not transgressed against us but has committed some type of injustice against a group from another people, who may be Muslims or non-Muslims. If they are Muslims - like today's plight of the Palestinians who have been exiled from their homes, whose wealth has been seized, who have been subjected to all kinds of transgression - while, for the moment, the transgressor has no intentions against us, is it permissible for us in such circumstances to hurry to ?the help of those oppressed Muslims and deliver them, or is this is not permissible

Certainly this too is permissible. In fact, it is obligatory. It is not a

case of commencing hostilities when we rush to the defense of the oppressed, .especially if they are Muslims, to deliver them from the clutches of oppression

If the tyrannized person or party is not a Muslim, then the tyranny can be of two types. There is a time when the oppressor has positioned a people in a vacuum and blocks the call of Islam. Islam gives itself the right to spread its message throughout .the world, but this depends upon there being the freedom for it to spread

Imagine some government that says to the Muslims who are delivering the call of Islam to a nation: "You have no right to say what you are saying. We do not allow it." In these circumstances it is not permissible for us to fight with that nation, with those .people who are blameless and unaware

But is it permissible for us to fight against that corrupt regime which props itself up with a putrid ideology that it uses like a chain around the necks of the people to imprison them in a blind alley, isolates from the call of truth; a regime which acts as a barrier against that call? Is it permissible for us to fight that regime so as to remove ?that obstacle

Or, in real terms, is it permissible for us to fight against that prison of depression or not? In the view of Islam this is also permissible for this is itself an uprising against zulm, against injustice and

oppression. It may be the case that the mazlum, the wronged, the oppressed, are not aware of the nature of the injustice and have not sought for help. In fact, there is no .need for them to request help

The seeking of help raises another issue. Assuming that the oppressed seek help from us, is it permissible or obligatory for us to help them? Even if they do not apply for help, is it still permissible for us to help them, or even obligatory? The answer is that it .is not necessary for them to seek our help

The simple fact that the oppressed are oppressed, that an oppressive regime has erected a wall, a barrier, for its own well-being, and has prevented a nation from becoming aware of the Call wherein lies the prosperity and happiness of that nation, the Call which if they hear and become aware of, they are sure to accept; prompts Islam to say that we can break that barrier which, between it and those people, exists .in the form of a repressive government

E- Wars of Early Islam

Many of the wars of Early Islam were fought for this very reason. The Muslims who went to war used to say that they had no conflict with the people of the world; rather, they were fighting governments in order to rescue peoples from the misery and .slavery, imposed on them by those governments

When Rustam, the pre-Islamic champion of Persia asked those Muslims what was their goal, they replied: “To change

the worship of worshippers from the worship of those who worship to the worship of God." – "Our aim is to free these creatures of God, these people whom, by your tricks and violence, you have placed under the yoke of slavery and bondage to your own .selves

We are going to deliver them from the yoke of bondage to you. We are going to set them free, make them the devotees of God the Sublime, the devotees of their ".Creator; not the devotees of what is created by Him just as they themselves are

In the letters that the Holy Prophet of Islam wrote to the People of the Book he :particularly used to include this Qur'anic verse

Say: "O People of the Book! come to common terms as between us and you: That we» worship none but Allah; that we associate no partners with him; that we erect not, (from among ourselves, Lords and patrons other than Allah."» (۳:۶۴

This verse instructed the Prophet to invite the People of the Book (those same people about whom the instructions of jihad were revealed) to accept an expression, an expression that was the same in respect to them as it is in respect to us. It does not say that they are to accept an expression that is for our benefit and related only to us. It says that they are to accept the expression that is the same for all and the concern .of all

:If, for example, we say to a people

Come, O people, accept our language," then those people have the right to say:" "Why? We ourselves have a language, why should we come and accept yours?" Or we might say: "Come and accept our special habits and customs," and they may say: ".“Why should we accept your habits and customs? We have our own

But if we say: "Come and accept this thing that is not ours and not yours, but is everyone's; God is the God of us all, so accept Him," this relates no more only to us. When we say: "Worship He Who is both our Creator and your Creator, rather He Who .is the Creator of all," then this is the same for them as it is for us

:The Qur’an says

(come to common terms as between us and you....» (۳:۶۴ ...»

Only God, the Creator of us all, is to be worshipped. And another expression that is :supremely, profitable both for us and for them is

that we erect not, from among ourselves, Lords and patrons other than Allah ...» ... » ((۳:۶۴

This means that the social order of master and servant is canceled, and the order of .equality between human beings is established

This verse reveals that if we fight, we fight for a thing that is the same in regards to all mankind. Having stated this, we can now say that one of the conditions which the unconditional verse can be subjected to is that if a people are bearing the oppression of a certain group, it

.becomes permissible for us to fight to free those people

Now there are two other verses that I wish to recite, the first one of which is a verse :from Suratul-Anfal

And fight them on until there is no more tumult or oppression, and there prevail » justice and faith in Allah altogether and everywhere...» (۸:۳۹)

What is the meaning of this? It means that we are to fight with those who create chaos amongst us and who want to cause us Muslims to relinquish our religion. We are to fight until the chaos has been eliminated. This is itself a condition. A further :condition is contained in verse ۷۵ from Surah an-Nisa

And why should ye not fight in the cause of Allah and of those who, being weak, are » ill-treated (and oppressed)? » (۴:۷۵)

O Muslims why are you not fighting in the way of God and in the way of those men, women, and children, who are helpless in distress? Why do you not fight to save ?them

F- Interpreting the Unconditional as the Conditional

These five verses that we have spoken about have shown us that, if the instructions of Islam about jihad given in some places are unconditional, in other places they are conditional, and in the terms of the scholars, the unconditional must be interpreted as .the conditional

G- No Compulsion in Religion

In the Qur'an we have a group of verses which specify that religion is to be accepted freely and cannot be forced upon someone. This confirms what we have been saying; namely, that in Islam no one can be

coerced, be told either to become Muslims or die. These verses illuminate those .unconditional verses in a different way

;One is a part of Ayatul-kursi (٢:٢٥٥-٢٥٧) and is well-known

لَا إِكْرَاهَ فِي الدِّينِ ۖ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ

«.La ikraha fid-din. Qat-tabayanar-rushdo min al-ghayy»

(Let there be no compulsion in religion: Truth stands out clear from Error» (٢:٢٥۶ »

This means that we must clearly explain the right path to people; its own reality, is manifest. There is no place for the use of compulsion in religion, no one must be .obliged to accept the religion of Islam. This verse is explicit in its meaning

In the Qur'anic commentaries it is written that an Ansari who had previously been a polytheist had two sons who had converted to Christianity. These two sons had become fascinated by Christianity and very devoted to it, but their father was now a Muslim and upset that his sons had become Christians. He went to the Holy Prophet and said to him: "Rasul Allah! What can I do to these sons of mine who have become Christians? Whatever I have tried, still they do not accept Islam. Do you give me permission to force them to leave their religion and become Muslims?" The Prophet ".said: "No. La ikraha fid-din, there is no compulsion in religion

About the circumstances in which this verse was revealed, it is also written that there were two tribes, the Aws and the Khazraj. They were of the original inhabitants of Medina. At the dawn of

Islam they lived there together several large Jewish tribes who had come to Medina at a later period. One was the tribe, Bani Nazil, and another was the Bani Qoraizeh, .while there was yet another large tribe of Jews that lived on the fringes of the city

The Jews, having Judaism as their religion and having also a holy book, came to be more or less considered as the learned of that society; meanwhile, amongst the original inhabitants of Medina, who were polytheists and generally illiterate, there had newly come into existence a small group also able to read and write. The Jews, as a result of their superior culture and the wide dimension of their thoughts, exercised .quite an influence on this group

Thus, despite the fact that the religion of the Aws and Khazraj was different from that of the Jews, these peoples allowed themselves to be influenced by Jewish ideas. As a result, they would sometimes send their children to the Jews to be educated, and while they were among the Jews, the children would once in a while renounce their .pagan religion of polytheism and convert to Judaism

When the Holy Prophet entered Medina, a group of these boys from that city were being trained by the Jews and had chosen for themselves the Jewish religion. There were others who chose not to renounce. The parents of these children became .Muslims, yet the children did not give up Judaism

And when it was settled that the Jews

should leave Medina (as a punishment for the chaos they had instigated), those children also left with their fellow Jews. Their fathers came to the Holy Prophet asking him for permission for them to separate their children from the Jews, to force them to relinquish Judaism and to become Muslims. The Holy Prophet did not grant this permission. They said: "O Rasul Allah! Allow us to force them to leave their religion and embrace Islam." The Holy Prophet told them: "No. Now that they have chosen to go with the Jews, let them go with them." And the commentators say that it was then :that the verse

لَا إِكْرَاهَ فِي الدِّينِ ۖ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ

(La ikraha fid-din. Qat-tabayanar-rushdo min al-ghayy» (۲:۲۵۶»

.was revealed

:Another famous verse is

Invite (all) to the Way of thy Lord with wisdom and beautiful preaching; and argue » (with them in ways that are best and most gracious...» (۱۶:۱۲۵

The verse asks people to invite others to the path of your Rabb, not with the use of .the sword, but with beautiful admonitions and advice

(and argue with them in ways that are best and most gracious... » (۱۶:۱۲۵... »

This says that we must dispute beautifully those who dispute with us. This verse has .introduced clearly the way for Islam to be embraced

:In another verse we are told

Say, "The truth is from your Lord": Let him who will believe, and let him who will,» (reject (it)...» (۱۸:۲۹

Whoever wants to believe will believe, and whoever wants to

be a kafir will be a kafir. This verse makes clear that faith and rejection, iman and kufr, must be freely chosen, and cannot be forced onto others. Islam says that whoever .wants to believe will believe, and whoever does not want to, will not

:There is also this verse

If it had been thy Lord's will, they would all have believed,- all who are on earth! wilt» (thou then compel mankind, against their will, to believe! » (۱۰:۹۹

The verse is addressed to the Prophet. The Holy Prophet really loved the people and wanted them to be true believers. The Qur’an says that the use of force in the matter of belief is meaningless. If force was valid, God Himself, with His own Power of creation would have made believers of all the people, but belief is a thing that people .must choose for themselves

God with all His Powers of creation and compulsion has not forced mankind to be true believers and has given them the free will to choose. Thus, for the same reason the Prophet also was to let them choose for themselves. He whose heart has the desire .will become a good believer, and he whose heart does not want to, will not

:Another verse addressed to the Prophet says

(It may be thou frettest thy soul with grief, that they do not become Believers.» (۲۶:۳»

If (such) were Our Will, We could send down to them from the sky a Sign, to which » they would bend their necks

(in humility. » (۲۶:۴

Here God says that if He wanted to send down from the sky a sign, an affliction, and tell the people that they must either become true believers or be destroyed by that affliction, all the people under compulsion would become believers. But, He does not do so because He wants the people to choose for themselves.

These verses further clarify the idea of jihad in Islam and make clear that jihad in Islam is not that which some self-interested parties have said it is. These verses clarify that Islam's aim is not compulsion; that it does not command Muslims to raise the sword over the head of whoever is not a Muslim and offer the simple choice of Islam or death. That this is not the purpose of jihad.

H– Peace

There is another group of verses occurring in the Qur'an which are also worth mentioning. On the whole, Islam gives much importance to the issue of peace. In one verse, it is explicitly defined:

(Was-solho Khayro» (...settlement is best...) (۴: ۱۲۸»

Though, as we have said, peace is not the same as violence, misery and submission to an oppressor. In another verse we are told:

(O ye who believe! Enter into Islam whole-heartedly...» (۲:۲۰۸ »

But more illuminating still is this verse:

But if the enemy incline towards peace, do thou (also) incline towards peace, and» trust in Allah: for He is One that heareth and knoweth (all things). » (۸:۶۱

Here, the Prophet is told that if the opponents advocate peace and make sincere

efforts to obtain it, he, too, should make peace. If they sincerely desire peace, he, too, is to desire peace. These verses clearly show that the soul of Islam is the soul of .peace

:In another verse which is in Surah an-Nisa, the Prophet is also told

Therefore if they withdraw from you but fight you not, and (instead) send you» (Guarantees of) peace, then Allah Hath opened no way for you (to war against them)..» ((۴:۹۰

O Prophet, if they have withdrawn from war, and have not fought against you, and" have made a manifestation of peace, if they have said that they are ready to make peace with you, then God does not give you permission to advance any further and ".fight them

:In the same surah, it is further stated, this time about the hypocrites

But if they turn renegades, seize them and slay them wherever ye find them; and (in » any case) take no friends or helpers from their ranks. Except those who join a group between whom and you there is a treaty (of peace), or those who approach you with hearts restraining them from fighting you as well as fighting their own people...» (۴:۸۹-(۹۰

If the hypocrites who are fighting us run away, they are to be taken and killed wherever they are. They are not to be taken as friends; nor are we allowed to accept help from them, except from those who have a treaty with people with whom we have a treaty, and who are ready

to come to an agreement with us. These we are not to kill and with those who are tired of fighting, we are also not to fight.

Thus, we have looked at four series of verses. One series consisted of those verses that tell us unconditionally to fight; if we had ears and heard only these and not the others, it would be possible for us to think that Islam is a religion of war.

The second series consist of verses that give the order to fight but with certain conditions; conditions such as the opposing side being in a state of war with us, or a mass of Muslims or non-Muslims having been placed under the heels of a group from amongst themselves which has trampled on their freedom and rights.

The third series of verses make it perfectly clear to us that the call of Islam is not sounded with any force of arms.

And in the fourth group Islam decisively announces its love of peace.

Lecture Three: Defence, The Quiddity of Jihad

point

One of the points that now come into question is the Islamic view of the essence and quiddity of jihad. On this point there is complete agreement amongst researchers; the essence of jihad is defense, meaning that not one of them even suspects jihad, or any kind of fighting, that is motivated by aggression, by lust for the wealth and riches and other resources of the other side, for an aggressor's harnessing of a people's economic or human resources, to be in

.any way permissible in the view of Islam

In Islam, fighting based on such motives are types of zulm, types of tyranny and oppression. Jihad is only for the sake of defense, and in truth, it is resistance against transgression, and can certainly be lawful. Of course, there is also the third possibility that one fights not for the sake of aggression, nor in defense of oneself or of a human .value, but for the expansion of a human value, and this will be discussed later

Leaving this point aside, however, we see that in the basic definition of jihad, there is no difference of opinion and all the researchers are agreed that jihad and war must be for the sake of defense. The differences of opinion that do exist are minor ones, .and concern the question of what it is that has to be defended

A– Types of Defense

The opinions of some on this matter are limited. They say that defense means self-defense; that war is lawful for an individual, a tribe or a nation in defense of itself and its life. According to this, if the lives of a people are exposed to danger from another region, then fighting in defense of their lives is lawful for that people. In the same way, if their property is subject to aggression, then from the point of view of human .rights, they have the right to defend that property which is their right

Likewise, if a nation is faced with the aggression of another

nation that wants to take possession of its wealth and perhaps carry it away, then .that nation has the right to defend its wealth, even by force

".Al-maqtulu duna ahlihi wa 'iyalihi shahidun"

Islam tells us that whoever is killed for his property or chastity is a martyr.(۱) So, in Islam, defending one's chastity, is like defending one's life and property. In fact it is superior. It is the defense of one's honor. For a nation, to defend its independence, is undeniably lawful. So when a group wants to take away the independence of a nation and place that nation under its own mandate, if the people of that nation decide to defend themselves and pick up the gun, this action is lawful. It is, in fact, laudable and .worthy of admiration

So, defense of life, defense of wealth, property and lands, defense of independence, defense of chastity, all these are lawful defenses. No one doubts the fact that in these cases, defense is permissible and as we have said, the view that some Christians put forth about religion having to advocate peace and not war, and that war is absolutely bad and peace is absolutely good, has no logical or reasonable basis to support it. Not only is fighting for the sake of defense not wrong, but it is extremely correct in this case to fight and one of the necessities of human life. This is what is meant in the Holy :Qur'an when we are told

» And did not Allah

۱- "Shahid," i.e. martyr, one of the highest stations a Muslim can attain. The statement .is a tradition of the Holy Prophet

Check one set of people by means of another, the earth would indeed be full of (mischief.» (۲:۲۵۱

:or again

Did not Allah check one set of people by means of another, there would surely have » been pulled down monasteries, churches, synagogues, and mosques, in which the (name of Allah is commemorated in abundant measure. » (۲۲:۴۰

.Up to this point all the scholars are more or less in agreement

B– Human Rights

There exists the question, however, of whether the things we are allowed to defend are only these enumerated, i.e. individual, group and national rights, or whether it is legitimate for us to defend other things as well. Are there other things such that the defense of them is also necessary and obligatory, things that do not pertain merely to the rights of the individual, tribe or nation but pertain literally to the rights of humanity as a whole? If somewhere a right of humanity is somehow encroached upon, is it ?legitimate to fight it? Is war fought for the sake of humanity lawful or not

Perhaps someone will ask: "What does fighting for the sake of humanity mean?" "I do not have to fight for any rights except my own personal rights, or, at the most, the rights of my nation." "What have I to do with the rights of humanity?" This mode of .thinking, however, is in no way valid

There exist certain things that are superior to the rights of the individual or nation. These things are more holy and more sacred, and the

defense of them in accordance to the human conscience is higher than the defense of individual rights. And these are the sacred values of humanity. In other words, the sacredness of fighting in defense lies not in defending one's self, but in defending “the right.” When the cause and criteria is “the right,” what difference does it make whether it is an individual right or a general right of humanity? In fact, defense of the rights of humanity is holier, and although no one says so, it is freely admitted in .actions

For example, freedom is reckoned as one of the sacred values of humanity. Freedom .is not limited to an individual or a nation

Now, if it is not our freedom and not the freedom of our country, but freedom in another corner of the world that pertains to the right of humanity which is being infringed upon, is the defense of that right of humanity, simply for the sake of defending a human right, lawful for us or not? If it is lawful, then defense is not limited to the actual individual whose freedom is in danger, but it is lawful, even obligatory for other individuals and other nations to rush to the aid of freedom, and fight against the negator and repressor of freedom. Now, what is your answer? I do not think anyone has any doubt that the holiest form of jihad and the holiest form of war is that which is fought in defense of humanity and

.humanity's rights

When the Algerians were at war with the French colonialists, a group of Europeans helped them in the war – either in the form of actually fighting alongside the Algerians, or in other ways. Do you think that only the fighting of the Algerians was lawful because their rights were transgressed, and that the people who came from the farthest corners of Europe to take part in the battle to help the Algerian nation were no more than oppressors and aggressors, who should have been told: "Stop your ?interference, what business is it of yours

No one has transgressed your rights, why are you fighting here?" Or is it that the jihad of such people was holier than the jihad of the Algerians, because the Algerians were defending the cause of their own rights, while the cause of the others was more ethical and more sacred than that of the Algerians. Obviously what holds valid is the .second assumption

Freedom lovers – both those who are in reality freedom lovers, and those who only pretend to be – have earned general respect: a respect from the different nations, due to their having presented themselves as defenders of human rights, not the defenders of their own individual rights or the rights of their own nation or even their .own continent

If they were ever to go beyond the use of the tongue, the pen, their letters, and ,lectures, and actually go to the battlefield and fight, for the Palestinians for example

or the Viet Cong, then the world would consider them to be even more holy. It would not attack them saying: "Why are you interfering? It is none of your business. No one ".is interfering in your affairs

The world considers war, whenever it is for the sake of defense, to be holy. If it is in self-defense, it is holy. If it is for the defense of one's nation, it is more holy, for the cause has grown from a personal one to a national one, and the individual is not simply defending himself but is also defending the other individuals that make up his society. And if the defense shifts from a national to a humanitarian cause, it again .becomes a degree more holy

C– The Minor Dispute

Here then is the nature of the dispute about jihad; not a major dispute but a minor one. The dispute is not about whether jihad is only lawful in defense or is also lawful for defense. The dispute is over the definition of defense. This minor dispute is about whether the meaning of defense is limited to whether the defense of humanity can be contained in a broader category that also includes self-defense, and within that .category, the defense of one's nation

Some say, and they are right, that the defense of humanity is also a legitimate defense. Thus, the cause of those who rise to "command that which is recognized and forbid what is rejected" is a holy one. It is possible that someone's actual

being is not transgressed; he may even be highly respected and all the facilities of life .may be available to him, and the same may apply to the material rights of his nation

But, from the point of view of human ideals, a basic human right is being transgressed. Meaning that within his society, although neither the material rights of that society nor his own individual rights have been transgressed, there yet exists a task awaiting to be performed in the best interest of humanity. Namely, when good and evil exist in society, the former must be enjoined and fashioned into the social .order while the latter must be uprooted

Now, under these conditions, if such a person sees that the good, the recognized, the accepted, has been relegated to the place of the bad and rejected, and that the rejected has taken the place of the recognized, and he stands up for the sake of commanding what is recognized and prohibiting what is rejected, then what is he defending? Is he defending his own personal rights? No. Is he defending the rights, i.e. ?the material rights, of his individual society

Again, the answer is no. His defense is not related to material rights. What he is defending is a spiritual right that belongs to no single person or nation. He is defending a spiritual right related to all the world's human beings. Are we to condemn ,the jihad of that man, or are we to consider it sacred? Obviously

.we are to consider it sacred, for it is in the defense of a right of humanity

On the question of freedom, you see today that the very people who are combating freedom, in order to give themselves an air of respectability, claim to be the defenders of freedom. This is so because they know that defense of freedom is tacitly understood as being sacred. If they were really fighting for the defense of freedom, this would be valid, but they are falsely attributing their transgressions to the defense of freedom. Yet even in this is their acknowledgment of the fact that the rights of humanity are worthy of defense, and that war for the sake of those rights is .legitimate and beneficial

?D– Tawhid: A Personal Right or a General Right

Now, an important matter must be looked at about tawhid, "La ilaha illallah" ("There is no god but (except) God (Allah))." Does tawhid pertain to the rights of humanity, or to the rights of the individual? Here it is possible for a Muslim to say that tawhid does not pertain to the rights of humanity but pertains only to the affairs of the individual, or at most, to the internal affairs of a nation; that he himself can be "muwahid,"(١) he has the choice of being "muwahid" if he wants to be, or a mushrak (polytheist), if he wants to be, and now that he has become muwahid, no one has the right to trouble him for it; it is his personal right, and, if someone else becomes a

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١– A "Muwahid" is a person who accepts the reality of Tawhid.

.mushrik, then that is the right of that person

Any single nation in its laws can choose one of the following three positions: One is that it chooses tawhid and adopts it as the official religion and officially rejects any other religion. Another is that a form of shirk, of polytheism is established as the official religion, and the other is that the nation allows freedom of worship whereby .one can choose whatever religion or creed one desires

If tawhid is embodied in the law of a nation then it is one of the rights of that nation and if not, it is not one of its rights. This is one way of looking at things. There is another view, however, which regards tawhid as being like freedom and pertaining to .the rights of humanity

When discussing freedom we said the right of freedom is not simply the right of the individual to be free from threats from any quarter, for it is possible it may be threatened by the very individual. So, if a people fight for tawhid to combat shirk (polytheism), their fight is motivated by defense, not by subjugation, tyranny and .transgression. This, then, is the nature of the minor difference in question

Even amongst the learned of Islam there are two views. According to some of them, tawhid pertains to the general rights of humanity. Then, fighting for the sake of tawhid is lawful, for it is the defense of a human right and is like fighting for

another nation's freedom. Another group argues that tawhid pertains to individual rights and perhaps to national rights, but has nothing to do with the rights of humanity. Accordingly, no one has the right to trouble anyone else for the sake of .tawhid

?Which of the two views is correct

I intend to state my own view on this subject. But before doing so, I would like to speak about another issue, and perhaps on reaching a conclusion, the two issues will be seen as a single one. The point is that some affairs may be accepted under duress, i.e. accepted under compulsion, whereas some others as per their nature, must be .freely selected

Imagine an individual becomes infected with a deadly disease and has to accept taking an injection. In such a case, the infected individual can be forced to take the injection. If he refuses it, others can come and his hands and feet can be forcefully tied so that he takes it. If he continues to resist, the injection can be administered .while he is unconscious. This scenario is acceptable under duress

The acceptance of other things, however, cannot be forced through compulsion, for other than by free choice, there is no way they can be accepted. Among such things we find the purification of the self, for example, and the refinement of one's behavior. If we want to refine people so that they come to recognize and accept virtues as virtues and evils as evils and refrain from faulty human

behavior so that they eventually reject falsehood and embrace the truth, we cannot .do so by the whip; we cannot do so by force

With a whip, it is possible to prevent someone from stealing, but it is not effective in making an honest individual out of someone. For if such things were possible, then, for example, if the self of a person was in need of purification and his personal behavior was sadly lacking in good morals and ethics, a hundred lashes meted to him .would make of that person somebody with good morals and ethics

Instead of a good education, the teachers would simply use the whip and say: "So that this person throughout his life, always tells the truth and finds lies repulsive, he is to be given a hundred lashes, and thereafter he will never tell a lie." The same thing applies to love. Can one force a person to love another by the whip? Love and affection cannot be forced upon someone. No forces in the world, even if taken .together, cannot force love upon somebody nor take away his love for somebody

Having made clear this point, I wish to say that faith, regardless of whether it is a basic right of humanity or not, is, by its very nature, not something that can be imposed by force. If we want to create faith, we should know that it is not possible to create it by force. Faith means belief and inclination. Faith means being attracted

to and accepting a set of beliefs, and attraction to a belief calls for two conditions. One condition is that the matter must accord with the intellect: this is the scientific aspect .of faith

The other is the emotional aspect; the human heart should be attracted to faith. Neither of these comes within the realm of force. Not the first condition, because thinking is subject to logic - if it is desired that a child be taught the solution of a mathematical problem, he must be taught in a logical way so that he finds credence in it. He cannot be taught by the whip. His intellect will not accept a matter through force, and beating. The same applies to the second condition, the emotional quality that .stimulates inclination, attraction and sentiment

According to this, there is a huge difference between tawhid as a right of humanity and things other than tawhid, such as freedom. Freedom is something that can be imposed on a people by force, because transgression and oppression can be prevented by force. But living freely and the freedom-loving spirit cannot be imposed by force. It is not possible to force a person to accept a belief or to forcibly create faith in a certain thing within his heart. This is the meaning of "La ikraha fid-din. Qat-.tabayanar-rushdo min al-ghayy," meaning there is no compulsion in religion

When the Qur'an says that there is no compulsion in religion, it does not mean that, though it is possible for religion

to be imposed by force, we must not impose it and must leave people to adopt any religion they want. No. What the Qur'an is saying is that religion cannot possibly be .imposed

That which can be imposed under compulsion is not religion. To the Bedouin Arabs, who had recently accepted Islam without having perceived the nature of its essence and without Islam having influenced their hearts, who were claiming to have "faith," :the Qur'an gave this reply

The desert Arabs say, "We believe." Say, "Ye have no faith; but ye (only)say, 'We » (have submitted our wills to Allah,' For not yet has Faith entered your hearts.» (۴۹:۱۴

In Qur'anic terms, "the desert Arabs" refers to the Bedouin desert nomads. The nomads came to the Holy Prophet Muhammad (May Allah's benedictions be upon him and his noble Household) claiming to have faith. The Holy Prophet was instructed to tell them that they did not have true belief. Only that when they had said they had become Muslims, i.e. had made the verbal declaration, had done that which entitled them to be superficially rated as Muslims, had recited "La ilaha illallah, Muhammadan rasulullah," could they avail themselves of the same rights that belong to a Muslim. The Prophet was to tell them, however, that that which is called faith had not yet .entered their hearts

(For not yet has Faith entered your hearts..» (۴۹:۱۴ ...»

.This tells us that faith is related to the heart

Another factor that supports our claim is that Islam does not

permit taqleed (imitation) in the fundamental beliefs of religion and counts independent research as essential. The fundamental beliefs of religion are of course related to belief and faith. So it becomes clear that, in Islam, faith is a product of free thought. The faith and belief which Islam calls for cannot be acquired through non-free thoughts subject to "taqleed," force and compulsion.

So now we realize the two views of the Islamic researchers to be quite close. One group argues that tawhid pertains to the universal rights of humanity and as it is undeniably legitimate to defend the rights of humanity, so it is legitimate to defend tawhid and fight against others for its sake. The other group claims that there is absolutely no legitimate way that tawhid can be defended, and, if a nation is polytheistic, we are not permitted to fight it on that account.

Now, the proximity of both views lies in the fact that, even if we consider tawhid to be a human right, we cannot fight another nation to impose the belief in tawhid upon them. This is because, as we have seen, by the very nature of its essence, tawhid is not something that can be imposed. There is another point also. If we reckon tawhid as a right of humanity and if we see that it is in the best interests of humanity and if tawhid demands, then it is possible for us to fight a nation of polytheists. But, we cannot fight them

.to impose tawhid and faith, for we know that tawhid and faith cannot be imposed

We can, however, fight the polytheists in order to uproot evil from their society. Ridding a society of evil, polytheistic beliefs is one thing, while imposing the belief of .tawhid is another

According to the view of those who consider tawhid to pertain to the rights of the individual or at most to the rights of a nation, this is not permissible. The predominant line of thought in the West, which has also penetrated the ranks of us Muslims, is .exactly this

The Europeans regard issues such as tawhid as personal issues unimportant to life, and perceive it as more or less a custom from which each nation has the right to choose. On this basis, it is held that even for the sake of uprooting evil, no one has the right to combat polytheism, because polytheism is not iniquity, and tawhid is a purely .personal issue

If, on the other hand, we consider tawhid to be a universal issue, one pertaining to the rights of humanity and one of the conditions for humanity's general welfare and prosperity, then we see it as permissible to commence war with the mushrikin for the sake of the demands and defense of tawhid. Such war is justifiable in order to uproot corruption, even though war for the sake of imposing the tawhidic(۱) belief is itself not .permissible

Here we are entering upon a different issue, namely whether fighting for the freedom of the

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۱- "Tawhidic," which the translator has noticed in English texts, seems to be an .anglicized noun from the Arabic word "tawhid" and meaning, pertaining to tawhid

call" is permissible or not. What does it mean – fighting for the freedom of the call? It" means that we must have the freedom to propagate a certain faith and belief to any nation. Not the generally current propagation which aims solely at propaganda, but .propagation in the sense that we just explained. Nothing more

And now, whether we consider freedom to be a universal human right, or tawhid to be so, or both of them to be universal human rights, to do this is definitely lawful. Now, if a barrier arises against our calls, like some power, say, presenting itself as an obstacle, denying us permission, saying that we will impair the mind of its nation – and we know that most governments consider as impairing all thinking which may encourage the people to revolt against them – if such a regime sets itself up as a barrier to the call of truth, is it permissible to fight against it until it falls and the barrier ?against the call broken down, or is this not permissible

Yes, this is also permissible. This would be for the cause of defense. This would be one .of those jihads, the actual nature of which is defense

E– The Measure of Rights – Individual and Universal

So far we have seen that the essence of jihad is defense. There is now just one issue that remains, which is whether, in our view, tawhid pertains to the universal rights of humanity, or to the personal rights of an individual, or at the most, to

the rights of a nation. What we have to do is look at the criteria for personal rights, universal rights of humanity and see what they are. In some things human beings are .all the same, while in some other, they are different

Human beings differ in so many ways that no two persons are exactly the same in every detail. Just as there are no two persons having the same physical characteristics, so there are no two persons with the same spiritual characteristics. Universal rights concern the command demands and needs of all human beings, and the universal interest in this. Freedom means the absence of obstacles against the .flowering of the individual's natural potentials, and relates to all of humanity

Freedom for me has exactly the same value as it has for you. It has the same value for you as it has for others. Between you and me, however, there exist many differences, and these pertain to the "personality," because they are personal differences. Just as color and physique differ among human beings, so too do personalities differ. I may like clothes of a certain color, while you like those of a different color. I may like to live in one town, while you prefer another one. I may arrange and decorate my home in one way, while you choose a different way. I may .select one subject for study, while you select another

.These are all personal issues, for which, no one can be bothered

Thus no one has the right to compel someone to marry a particular person, for marriage is a personal issue and in choosing a marriage partner, everyone has his own taste to suit. Islam says that no one must be compelled in choosing his or her partner because this choice is one's personal right. The Europeans who say that no one must be bothered for the sake of tawhid or faith, say so because they think that these two concepts are amongst the personal concerns of the individual, are issues of the personality, individual matters of taste. To them, religion is something which .brings entertainment to all human beings

In their view, it is like art; one person likes Hafiz, another likes Sa'adi, another likes Maulavi, another likes Khayam, another Ferdowsi(۱) and no one must bother the one who likes Sa'adi saying: "Why do you like Sa'adi? I like Hafiz. You also have to like Hafiz." To them religion is just this. One person chooses Islam, while another chooses Christianity, another chooses Zoroastrianism, while yet another, cannot be bothered .about any of them

No one must be troubled. Religion in the view of these Europeans is not related to the core of life, to the path of human life. This is their basic supposition, and between their line of thought and ours, there exists a world of difference. Religions like their own religions must be as they say, but to us, religion means the "siratul-mustaqim," the "straight path" of humanity. Being

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۱- All notable Muslim poets.

indifferent to religion means being indifferent to the straight path, to the real path of progress, of humanity.

We say that tawhid is the pillar of well-being, prosperity and happiness of mankind, and is not merely the personal concern of the individual or the sole concern of this or that group. Accordingly, the truth lies with those who believe tawhid pertains to the rights of humanity. If, at the same time, we say that war for the imposition of tawhid is not permissible, it is not because tawhid pertains to those affairs which must not be defended and not to humanity's general rights. Rather, it is because the very nature of tawhid does not allow it to be imposed, as the Qur'an confirms: "la ikraha fid-din."

F– Freedom of Thought or Freedom of Belief

Another point which should be stressed here is that there exists a difference between "freedom of thought" and "freedom of belief." Human beings are endowed with the faculty of thought which enables them to make decisions on the basis of thought, logic and reason. But belief entails a strong tie to the object of belief. And, by the way, numerous are the beliefs that are not based on thought, but are sheer imitation, a result of upbringing and habits, and which even molest human freedom. What we say, looking at things from the point of view of freedom, is that what mankind must have, is freedom of thought.

Yet there are some beliefs which are not in the least degree rooted in thought. They have

their root in the mere dormancy and stagnation of the spirit, handed down from generation to generation; they are the essence of bondage, so that war fought for the sake of eliminating such beliefs is war fought for the freedom of humanity, not war fought against it. If a man prays for his needs to a self-made idol, then, in the .words of the Qur'an, that man is lower than an animal

This means that the act of this man is not based at all on thought. A little bit of thinking would not allow him to engage in such an act. What he does is merely a reflection of the stagnation and dormancy which have appeared in his heart and in his soul, and which are rooted in blind imitation. This person must be forcibly freed from the internal chains which shackle him, to enable him to think. So, those who recommend the freedom of imitation and apparent freedoms which in fact enchain the soul's freedom of belief are in error. What we advocate, in accordance to the verse "la .ikraha fid-din," is the freedom of thought

Lecture Four: The Question of Abrogation

A– Abrogation

Our discussions have been about Islamic jihad. Tonight, there are three issues that I wish to speak about, one of which is based on Qur'an, the other based on reason, and .the third, based on both Qur'an and history

The issue with the Qur'anic basis is in connection with the verses about jihad. Before, we had said that some of the

verses about jihad are unconditional while others are conditional. Unconditional verses are those where the command to fight the polytheists or the People of the Book has been issued without any conditions and conditional verses are those which have given the command accompanied by special conditions.

For example, it has been stated that we must fight them if they are fighting us, or if they are in a state of war with us, or if we have reason to fear an imminent attack from them. To the question as to which verses should be observed, the conditional or the unconditional, we say that in the view of the ulama', there exists no difference of opinion to leave us in doubt, for, if we are aware of the rule and we study both types of verses, we will realize that the conditional verses are explanations of the unconditional ones. So, according to this, we must get the meaning of jihad from what is explained by the conditional verses, which means that the Qur'anic verses do not recognize any verse about jihad as being obligatory.

Yet, some commentators have brought up this issue of abrogation. They agree that many verses of the Qur'an set conditions for fighting against the non-Muslims, but they say that other verses have been revealed that abrogate all those instructions and conditions. Thus, we come to the issue of abrogations, about that which abrogates and that which is abrogated.

Some think that the first verse of Surah at-Tawba - which

issues the complete command of jihad and immunity to the polytheists, fixing a period for them to stay in Mecca after which they had to leave and the Muslims were to besiege them in their fortifications and hiding places and kill them, and which, furthermore, was revealed in the ninth year of the Hejira - has in one blow abrogated ?all the instructions about jihad that were previously revealed. Is this the correct view

No, this view is incorrect. Why? For two reasons. One is that we can only consider a verse to have abrogated another when it is incompatible with it. Imagine a verse being revealed commanding not to fight the polytheists at all followed by another allowing for fight. Good. This would mean that God has canceled the previous .instruction

This is the meaning of abrogation, that the first instruction is annulled and replaced by another. So the second instruction must be such that it is fully incompatible with the first. However, if collectively, the contents of the first verse and the second one are compatible, so that one clarifies the other, then there is no further question of one .being an abrogator and the other being abrogated

The verses of Surah at-Tawba are not such that they can be said to have been revealed so as to nullify the previously revealed ones, which attached conditions to jihad. Why not? Because, when we consider all the verses of Surah at-Tawba collectively, we see that they tell us to fight the

polytheists because they do not observe one of the essential principles of humanity - keeping one's promises - which one and all know, must be kept, even if the law of one's particular nation does not stress this duty or heed it at all.

Thus the verses tell us to fight, because if we conclude an agreement with them, whenever they see the opportunity to violate it, they would do so and strive to destroy and annihilate us. Here, what does reason tell us? If we know for sure that a nation intends to destroy us on the first opportunity, does reason tell us to wait for them to do so before we do anything about it? If we wait, they will destroy us. In today's world, we may see a nation attacking another because of clear evidence that the other nation has made the decision to attack them, and when that nation attacks, the whole world will say that it is permissible, that they did the right thing.

No one would say that although they knew and had clear evidence that, for example, the enemy had the intention of attacking on a certain day, that they had no right to attack the enemy today, that they should have waited with folded arms for the enemy to attack and only then, should they have gone into action themselves.

The Qur'an in those same verses of Surah Bara'at (Tawbah), the most strict verses of the Qur'an, tells us:

» How (can there be

such a league), seeing that if they get an advantage over you, they respect not in you the ties either of kinship or of covenant? With (fair words from) their mouths they entice you, but their hearts are averse from you; and most of them are rebellious and (wicked.» (۹:۸

It tells us that, if they find the opportunity, they observe no promise or treaty, and whatever they say comes only from their tongues, while their hearts are in opposition. .So, these verses are not as unconditional as had been previously thought

What they actually say is that, on sensing danger from the enemy, for us to fold our arms and delay would be a mistake. Thus we must not think that these verses are completely out of accord with the other verses and they should not be considered as .abrogators. This is the first reason why these verses are not abrogative

B– No Generality without an Exception

The second reason was given by the ulama' of usul ul-fiqh - and if I can explain it to .you, then the meaning concerning this verse will become clear

The ulama' say: "Maa min 'amman illa waqad khussa" "There is no generality that is ".without an exception

And this is absolutely right. We are told to fast, but we are excused if we are travelling, or too sick (according to what is appropriate in the rulings). There are similarly generalities that have no exceptions. There are some generalities that really have no exceptions and admit none. So, even this very rule

.has exceptions

The point of this is that some issues refuse to be abrogated, refuse all exceptions. The tone of these generalities is that they can admit no exceptions. For example, in the :Qur'an we are told

(if ye are grateful, He is pleased with you.» (۳۹:۷ ...»

This verse does not admit any exceptions. It is not possible that there will come a time when a person will be sincerely grateful to God, and God will not be pleased. No. This is not something that in certain circumstances will be any different, unless that person .becomes ungrateful

Similarly, concerning abrogation, some verses are such that fundamentally abrogation is not applicable to them, because the meaning of abrogation is that the abrogated order was a temporary order. This means that certain things do not admit being temporary. If they be, they must always be. Why? Now, I will give you an .example

:For example, let's take the verse of the Qur'an which tells us

(do not transgress limits; for Allah loveth not transgressors.» (۲:۱۹۰... »

This has a generality in regard to individuals and continuity in regard to time. Is it possible for us to maintain exceptions to this generality? Can we say that God does not like oppressors with the exception of a few? The holiness of divinity on the one hand and the filth of zulm, of injustice and oppression on the other are not two things that go together for us to be able to say that God does not love transgressors with the

.exception of so and so

This is a generality that admits no exception. This is not like fasting where we say that we must fast unless we are in such and such a condition. In the case of fasting, it is possible that in a certain state a person must not fast, but zulm is not a thing whereby we can say that in one instance we must be unjust and in another we must not. Wherever there is injustice and oppression, it is wrong and a crime, irrespective of .who has committed it

Even if it were the prophets of God who committed it, it would still be blameworthy, and regarded as sin and disobedience. God does not love anyone who is disobedient. We cannot say "except the injustice of His prophets." Even this is unacceptable. Even if the prophets, (may God spare me for the thought) committed sins, they would not be loved by God. The difference between a prophet and others is not that he committed sins and God loves him nevertheless; but that he never commits any sin .while others do. This, then, is a generality which admits no exceptions

Concerning the time factor also, the same thing applies. Can it be said that a certain fact pertains to a certain time? That God loves transgressors for a while, but then changes His mind, cancels His original position, and says that thereafter, He loves .transgressors? No, this is a thing that admits no abrogation

We can see

:how in one of the verses about jihad the Qur'an says

Fight in the cause of Allah those who fight you, but do not transgress limits; for Allah» (loveth not transgressors.» (۲:۱۹۰

We are to fight with those who fight against us, with those who have commenced some type of aggression against us. But we are not ourselves to be aggressors. Fighting against aggression is not aggression. But fighting against other than .aggression is aggression and not lawful

We are to fight against aggression so as to eliminate aggression; but if we fight against other than aggression then we ourselves become aggressors. This is not .something that admits abrogation

It is possible, for example, that permission for jihad and self-defense could be withheld for a while in our own best interests, for us to endure and persevere for a while and then, later, the call for jihad is given. Thus, the command for patience would be canceled because it was meant for a specified time period only; this cancellation of the initial command is so because it was meant to be only temporary from the .beginning

C– Defense of Human Values

According to this, the Qur'an limits jihad strictly to a type of defense and only permits it in the face of aggression. But in our last lecture, we said that jihad for the expansion of human values, even if they are not threatened, cannot be condemned. We also said that the meaning of aggression is a general one, meaning that it is not necessary for aggression

to be against life, against property, against chastity, against land – it is not even necessary for it to be against independence, against freedom – if a group transgresses against values that are counted as human values, then this is .aggression

I wish to cite a simple example. In our age, huge efforts are being directed at uprooting various diseases. So far the primary causes of some diseases like cancer have not been discovered, and their cure is likewise still not known. But at present, .there exist medicines which can temporarily delay the effect of these diseases

Supposing that some institution discovers the cure to one of these diseases, and that those other institutions which profit from the very presence of that disease, those factories which manufacture the medicines that can be used to postpone the effects of that disease, in order to prevent their market from collapsing – in which case millions, billions of dollars would be lost – destroy that newly discovered cure which for humanity is so beneficial; destroy those who are connected with it; destroy the newly .discovered formula so that no one would know about it

Now, is such a human value to be defended or not? Can we say that no one has attacked our lives or our property; no one has interfered with our chastity, our independence or our territory? Can we see that in one of the corners of the world, somebody has made a discovery and someone else is trying to destroy

it, and ask, what has it got to do with us? No. This is not the place for such a question. Here a human value is being threatened. In such a case, if we take the stance of resistance and war, are we to be called aggressors? No, we have risen to oppose .aggression, and to fight the aggressors

So, when we say that the basis of jihad is defense, we do not mean defense in the limited sense of having to defend oneself when one is attacked with the sword, gun or artillery shell. No; we mean that if one's being, one's material or spiritual values are aggressed or in fact, if something that mankind on the whole values and respects and which is necessary for mankind's prosperity and happiness, is aggressed, then we are .to defend it

Here, we come again to our previous discussion about whether tawhid is a personal issue or whether it is one of the values of humanity. If it is the latter that must be defended, so that if amongst a set of laws there is one which dictates that tawhid must be defended on the principle of it being a basic human value (as in Islam, for example), this does not mean that aggression is considered lawful. It means that tawhid is a spiritual value and the meaning of defense is so wide that it includes the .defense of spiritual values

Nevertheless, I will again repeat that Islam does not say we must fight to

impose tawhid, for tawhid is something that cannot be imposed because it is faith. Faith is built on discernment and choice, and discernment is not influenced by force. The same applies to choice. “La ikraha fid-din” means we must not compel anyone for faith is not something that can be forced upon someone. However, “La ikraha fid- din,” does not imply that we are not to defend the rights of tawhid. It does not mean that, if we see “La ilaha illallah,” “No god but Allah,” being threatened from some direction, we are not to defend it. No, not at all.

D– Freedom of Belief, or of Thought?

That religion must not be imposed on the individual and that people must be free in their choice of religion is one matter. That belief, in the current phraseology, must be free, is quite another matter. In other words, whereas freedom of thought and choice is one thing, freedom of belief is quite another. Many beliefs have “thought” for a foundation, meaning that many beliefs have been discerned and found to be true and have been freely chosen.

The alignment and commitment of an individual's heart to his beliefs in many cases is built on discernment and selection, but are all human beliefs built on thought, discernment and selection? Or are the majority of mankind's beliefs no more than alignments and commitments of the human soul that have not the slightest relationship to thought at all, and have merely a sentimental basis? An example the Qur’an cites on the subject

:of imitation by one generation of the previous generation is

Just in the same way, whenever We sent a Warner before thee to any people, the» wealthy ones among them said: "We found our fathers following a certain religion, (and we will certainly follow in their footsteps» (۴۳:۲۳

The Qur'an puts great stress on this point, and the same applies to a belief that is formed by the imitation of the patricians of society. In such places, the phrase "freedom of belief" is completely without meaning. Freedom means the absence of obstacles to the activities of an active and advancing force, whereas this type of belief .is a kind of constriction and stagnation

Freedom in constriction is equal to the freedom of a prisoner condemned to eternal imprisonment, or of a man chained in heavy chains, and the only difference is that he who is physically enchained senses his condition, while he whose spirit is in chains is unaware of it. This is what we mean when we say that freedom of belief based on imitation and environmental influences, rather than on freedom of thought, is totally .meaningless

"E– "Jiziyah

The final issue to be discussed is jiziyah, i.e. tribute. In one of the Qur'anic verses, it has been revealed that we are to fight the People of the Book, or those who do not have real faith, unconditionally, or until they pay jiziyah. What is jiziyah? Is the meaning of jiziyah some kind of "protection money" or "dangled?" Were the Muslims who took jiziyah in

?the past taking protection money

Protection money, seen from any angle, is injustice and oppression and the Qur'an itself negates injustice in all its forms. Jezyah finds its root in the word jaza. Jaza in the Arabic language is used both for reward and for punishment. If jiziyah in this context means recompense or punishment, then it can be claimed that its meaning is "protection money" or "danegeld," but if it means a reward, which it does, then the .matter changes

Previously we said that some have claimed that jiziyah is fundamentally a non-Arabic word. They say that it is originally Persian, that it is the Arabicized form of the Persian word "gaziyeh," the name of a head-tax which was first introduced by the Persian king, Anoushiravan, and that when this word reached the Arabs, the "gaf" ("G") was changed into a "jim" ("J") in accordance with the normal rule. So, the Arabs, instead of ".saying "gaziyeh", called it "jiziyah

Thus, jiziyah means a tax, and paying taxes is not the same as extorting protection money. The Muslims too must pay taxes and the only difference is between the actual types of taxes that the Muslims have to pay and those the People of the Book have to .pay. There is no proof however, for this view, that the origin of the word is not Arabic

Furthermore, we have no immediate interest in this word. Whatever the root of the word may be, what we must do is find out the

nature of jiziyah from the laws that Islam has introduced for it, and by which it is .defined practically

To put it in a different way, we must look to see whether Islam considers jiziyah to be a reward or a punishment. If in return for the jiziyah, Islam makes certain undertakings, gives us certain services, then the payment of the jiziyah is its reward. If, however, it takes the jiziyah without giving anything in return, then it is a kind of .protection money

If there is a time when Islam tells us to take jiziyah from the People of the Book without giving anything in return, tells us just to take money from them or otherwise fight them, then it ought to be considered protection money. Taking protection money means taking the right to use force. It means that the strong tell those who are weaker to give a sum of money if they want to be left alone and if they do not want .interference or their security be destroyed

If, on the other hand, Islam says that it places an undertaking before the People of the Book and in return for that undertaking they are to pay jiziyah to Islam, then in this case, the meaning of jiziyah is as a reward, whether it is an Arabic word or a Persian word. What we must pay attention to is the nature of the law, not the nature .of the word

When we perceive the essence of this law, we

notice that jiziyah is for that group of the People of the Book who live under the protection of the Islamic state, who are subject to the Islamic state. The Islamic state has certain duties towards its nation and likewise, the latter has its respective duties towards the Islamic state, and the first of these is to pay taxes to maintain the state .budget

These taxes include that which is taken as zakat and that which is taken as other than zakat in the form of various taxes that the Islamic government introduces in accordance to the best Islamic interests. All these must be paid by the people. In case they do not, then the Islamic government would automatically not be able to function. There is no governmental budget which is not fully or partly financed by the people. All .governmental budgets are sustained directly or indirectly by taxes

The second duty of the citizens is to provide soldiers and undertake sacrifices for the sake of the state. There may be future dangers when the citizens of the state must help in its defense. If the People of the Book are living under the protection of the Islamic state they are not bound to pay those Islamic taxes and are not bound to take part in jihad, even though any advantages resulting from the jihad will also benefit .them

Accordingly, when the Islamic government secures the safety of a people, whether they are their own people or not, and places

them under its protection, it requires something in return. This may be financial or other than financial. Instead of zakat and the other taxes, and even instead of .soldiers, the Islamc government requires jiziyah from the People of the Book

In early Islam, it was such that whenever the People of the Book volunteered to come and fight in the ranks of the Muslims in the interests of the Islamic state and the Muslims, the latter didn't collect the jiziyah. Since they were not bound to provide soldiers, but had come forward and volunteered to fight, the money they were due to .pay, the jiziyah, was theirs, and the Islamic state could not rightfully take it

In the commentary on the Qur'an called "Tafsir al-Menar," there are many accounts from various history books of how the early Muslims took jiziyah instead of soldiers, and how the People of the Book used to be told that since they were living under the protection of the Islamic state and of the Muslims, but sent no soldiers (the Muslims would themselves not accept them), then instead of sending soldiers, they had to pay the jiziyah. And if once in a while the Muslims in certain instances found confidence in .them and accepted their soldiers, they no longer took jiziyah from them

According to this, whether or not jiziyah is Arabic or Persian, whether it is from jaza or from gaziyah, this much is clear: from its legal meaning it is a reward to the

Islamic government from its non-Muslim citizens from the People of the Book, in return for the services that it performs for them and in return for them not having to provide the state with soldiers and not having to pay taxes.

Now the first problem of how and why Islam stops its jihad for the sake of jiziyah becomes clear. The answer is provided by the question, "Why does Islam want jihad?" It does not want jihad for the sake of the imposition of belief. It wants jihad for the removal of barriers. When the other side tells us that it has no wish to fight us, and that it will not create a barrier to the call of tawhid, and keeps to its word, it is to be ruled in accordance with this verse:

(But if the enemy incline towards peace, do thou (also) incline towards peace» (۸:۶۱»

If they have been humbled, and manifest a mind and heart of peace and compromise, then we are not to be severe anymore.

We are not to say, "Oh no. We do not want peace, we are going to fight." Now that they have come forward to live in peace and concord, we too must announce the same thing. Of course, now that they want to live with us under our protection, but do not have to pay any of the Islamic taxes, nor provide any soldiers, and neither do we have any confidence in their soldiers, then, in return for our services and protection,

.we take a simple tax from them called jiziyah

Some Christian historians like Gustav Le Bon and George Zaydun have discussed this issue in detail. Will Durant in Vol. II of his series “The History of Civilization” has also discussed the Islamic jiziyah and tells us that the Islamic jiziyah was so trivial an amount that it was even less than the taxes the Muslims themselves paid and thus .there was never any question of exaction

p: ۸۰

About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ

?Are those who know equal to those who do not know

al-Zumar: ٩

:Introduction

Ghaemiyeh Computer Research Institute of Isfahan, from ٢٠٠٧, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities .in religious, cultural and scientific fields

:Manifesto

Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field

and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research papers for the experts, and helpful contents and discussions for the educated generation and all classes of people interested in reading, with various formats in the .cyberspace

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(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

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:Appreciation

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